

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH, PENNSYLVANIA**

UNITED STATES OF AMERICA

ex rel.

JASON SOBEK

Plaintiffs,

v.

**EDUCATION MANAGEMENT
CORPORATION;**

EDUCATION MANAGEMENT, LLC;

SOUTH UNIVERSITY, LLC d/b/a

SOUTH UNIVERSITY ONLINE; ARGOSY

EDUCATION GROUP, INC. d/b/a

ARGOSY UNIVERSITY ONLINE; and

THE ART INSTITUTES INTERNATIONAL,

LLC d/b/a THE ART INSTITUTES ONLINE

Defendants.

CASE NO.: 10-0131

Magistrate Judge Cynthia Reed Eddy

**RELATOR’S REPLY TO DEFENDANT’S RESPONSE TO THE
NOTICE OF RELATED ACTION**

Defendants (collectively “EDMC”) have filed a Response to Relator’s Notice of Related Action. Relator is confused by the language in EDMC’s 5-page Response, which accuses him of attempting to “cherry-pick” a judge. Perhaps EDMC is unfamiliar with the Local Rules, and/or is unaware of Rule 40, which, in the interest of judicial efficiency, *required* Relator to file a Notice of Related Action with the Court regarding the very similar nature of his case and the previously-filed case, *United States ex rel. Washington et al v. Education Management Corporation et al.* Both cases involve the same Plaintiff (the United States), many overlapping Defendants and

similar theories of liability under the False Claims Act. Relator was simply complying with the Local Rules. Because Relator did not request anything in his Notice of Related Action, he is unsure as to how the Court could possibly “overrule” his Notice. The issue of assignment of judges is for the Court to decide, not Relator or EDMC.

Dated: June 26, 2012

Respectfully submitted,

/s/ Andrew M. Stone
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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of June, 2012, I caused a true and correct copy of Relator's Reply to Defendant's Response to Notice of Related Action to be electronically filed using the Court's Electronic Case Filing System. Notice of this filing will be sent to counsel of record via ECF notification.

/s/ Andrew M. Stone
Andrew M. Stone